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35. (New) The system of claim 30 wherein the means of displaying comprises an Internet server for providing the results to customers and potential customers.

REMARKS

Claims 1-21 are pending in the present application. In the Office Action of October 8, 2002, the Examiner rejected claims 1-21 under 35 U.S.C. §102(e) as being anticipated by Klatt et al. (USP 6,415,277).

It is noted that the Examiner states that the changes made to 35 U.S.C. §102(e) by the AIPA of 1999 do not apply to the examination of this application. However, while the Examiner states that the present application was not filed on or after November 29, 2000, Applicant notes that the present application was actually filed December 22, 2000. Accordingly, post-AIPA §102(e) standards are applicable. Nevertheless, Applicant does not concede Klatt et al. is valid prior art and reserves the right to antedate this reference.

Generally, before addressing the specific claims and the corresponding rejections, it would be helpful to highlight some of the underlying differences between the claimed invention and the art of record. While Applicant agrees that the claimed invention and the art of record both teach database queries, the databases are fundamentally different. Klatt et al. teaches a database maintained by a corporation and accessible by a print product seller "so that information for print requests can be extracted." Specifically, Klatt et al. teaches a seller database of employee information, letterhead information, or instruction manual information. Col. 2, ln. 65 - Col. 3, ln. 1 and Col. 6, lns. 48-51. In short, the database queried contains information suited to generating printed products for

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the database owner. The database does not, however, contain product availability information. The claimed invention is specifically tailored to searching a database containing product information to generate and display further product information, e.g. availability. Unlike Klatt et al., it is not searching a database of customer information in order to produce a product. This fundamental difference in databases and purpose leads to another underlying distinction.

Klatt et al. is focused on gathering customer information, from a customer database, to create a printed product for that customer. As such, all operations performed in Klatt et al. are done so for that customer or buyer; information gathered from the customer is to produce a printing for the customer, notifications are sent to update the customer, etc. On the other hand, the claimed invention is focused on seller information; the database searched contains information on seller products, the information is used to create further seller needed data, and the information is displayed to assist with product management. Therefore, the claimed invention deals with seller information to serve the seller's informational interests while Klatt et al. teaches the use of buyer information to produce a product for the buyer.

Due to these differences in purpose Klatt et al. and the claimed invention are implemented through very different methods. The claimed invention is essentially proactive, whereas, Klatt et al. is reactive. Klatt et al. teaches "various systems and techniques for using event-driven rules to initiate print-production tasks." Col. 1, lns. 21-23. For example, Klatt et al. teaches querying or monitoring a database for new "event data," which Klatt et al. defines as "information concerning an event that has occurred." Col. 5, lns. 43-44 and Col. 6, lns. 15-33. This method serves the purpose of Klatt et al.

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by automatically reacting to changes in the customer database. Whether the database change is the entry of a new employee or a low inventory level of letterhead, Klatt et al. teaches a method for reacting to changes in a customer's database in order to produce the buyer's printing needs. Col. 5, lns. 2-12. On the other hand, the current invention discloses a system and method for automatically searching seller information at regular time intervals and thus automatically carrying out the subsequent steps using the data. Therefore, this proactive method allows the seller to meet the seller's informational needs without waiting for a demand or an event to arise.

Turning to the specific claims, in order to sustain a proper rejection under 35 U.S.C § 102 each and every element of the claim, or its equivalent, must be present in the cited art. Upon an investigation of the claims it will become apparent that Klatt et al. fails to meet this burden.

Regarding claim 1, the Examiner asserts that Klatt et al teaches every element of claim 1 by quoting numerous sections throughout Klatt et al. However, Klatt et al. teaches is a printing system that searches a buyer's database and responds to predetermined rule, e.g. print replacement brochures if the buyer's database indicates an inventory level below a threshold. Col. 4, lns. 9-13. Accordingly, the cited sections teach a reactive system that is used to query the customer's database for customer information, e.g. employee names, inventory levels, etc, and if any customer information meets a rule, and then create printed products using that customer information. However, claim 1, in part, calls for "automatically query a database...for a date when each product will be ready for shipment," and automatically display product information derived from the

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search. Therefore, Klatt et al. does not teach this proactive system for searching a seller system and automatically displaying the derived seller information.

The Examiner next cites column 12, lines 7-17 as teaching the distinct method claimed for calculating and displaying when a product is available for shipment, i.e. "counting a number of days between a current date and the date when the product will be ready for shipment" to calculate the number of days before the product is available to ship and then display such information. However, no method of "counting a number of days between a current date and a date when the product will be ready for shipment" or calculating a shipment date, is actually disclosed in Klatt et al. Rather, the cited section simply states that an e-mail message may be sent to an individual confirming an order and providing an estimated completion and/or shipping date. While this disclosure teaches the display of an "estimated shipping" date, it does not teach a method of calculating the date or give any indication of how the "estimated shipping" date is derived. Therefore, while Klatt et al. teaches an e-mailed notification of an "estimated shipping" date it does not teach the method of "counting a number of days between a current date and the date when the product will be ready for shipment" as called for in claim 1.

Furthermore, the cited section is another example of the reactive nature of Klatt et al. The citation teaches that the e-mail be sent "confirming that a print order was submitted." Col. 12, lns. 7-8. Therefore, Klatt et al. is clear that a print order must first be placed in order for any such email to be sent. However, in claim 1 all elements of the claim are performed automatically at regular time intervals. Therefore, claim 1 is distinct

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because the method is proactive, i.e. requires no stimuli such as the submitted print order in Klatt et al.

As previously discussed, Klatt et al. teaches the searching of a customer/buyer database for customer information while the claimed invention searches a seller database for product information, c.g. shipping dates. In order to clarify this distinction Applicant has amended claim 1. Claim 1 now calls for "automatically querying a database, for a plurality of products that are scheduled for production, at regular time intervals for a date when each product will be ready for shipment." The amended form of claim 1 is now clear that a seller database is searched for product shipment information. This is readily distinguishable from searching a buyer database for buyer information.

Furthermore, Applicant has amended claim 1 to clarify the specific method. The amended claim clarifies that the step of displaying displays "a list of each product." Unlike an email notification of an "estimated" shipment date sent to a buyer, which would display only the products ordered by that specific buyer, the claimed invention displays "a list of each product," which displays the shipment dates of more than a single buyer's order.

Also, to further clarify the step of displaying, claim 1 has been amended to call for the displaying to be for "product availability management." This clarifies that the step of displaying is done for the benefit of the seller, not buyer. While Klatt et al. teaches sending an email notification including an estimated shipment date to a buyer, claim 1 is directed to displaying information "for product availability management." Col.

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12, Ins. 7-8 One of ordinary skill in the art will recognize that a only a seller, not a buyer, has an interest in or means of, product availability management.

For all of these reasons, Applicant believes claim 1 to be patentably distinct from the art of record. As such, Applicant believes claims 2-7 to be in condition for allowance pursuant to the chain of dependency. However, Applicant wishes to take the opportunity to highlight some distinctions of these dependent claims and clarify some of the Examiner's misconceptions regarding the claims.

Regarding the Examiner's rejection of claim 2, the Examiner cites column 11, lines 17-20, as teaching "qucrying the database for a number of orders" wherein there is "a product category for each order." However, the cited section actually teaches "a print requisition for a number of printed products (instruction books, warranty cards, and the like) corresponding to the number of products ordered will be automatically generated." Co. 11, Ins. 17-20. Nowhere does the cited section or any other portion of the reference teach qucrying any database or product categories. Although the Examiner cites this section in conjunction with the citations used to reject claim 1, column 11, lines 17-20 are unrelated to the sections of Klatt et al. that discuss searching databases. While a listing of possible print products may be categorized, Klatt et al. does not teach such categories nor does it make the cited listing in conjunction with a database containing information on those products or categories.

Furthermore, the Examiner cites column 11, lines 55-58 as teaching the querying of a databasc for "sales revenue for each order." However, the cited section actually states, "In step 504, cvcnts in the system are detected and rules fired based on changes to the corporate database. Alternatively, event messages may be generated in response to a

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manually entered procurement order.” Again, the cited section is reactive while claim 2 is clearly proactive. Also, the term “revenue” is not used anywhere in Klatt et al. However, the Examiner’s subsequent citations make it appear that the Examiner is equating “rules,” in the quoted section, with cost and cost with revenue. However, such an equating is not supported by the art. This error becomes more apparent when the Examiner cites column 14 lines 49-50 as teaching “adding the sales revenue from each order in each product category to create a sum of the total revenue for each product category.” However, the cited section actually teaches that “the set up costs may be spread over a large number of orders.” When Klatt et al. is read as a whole it is clear that “cost” is used by Klatt et al. only in conjunction with buyer determined ordering times, i.e. only ordering more prints when enough are needed to make the printing cost effective. While “cost”, as used by Klatt et al., is not used in conjunction with any revenue or profit of the seller, claim 2, in part, calls for “querying the database for a number of orders, a product category for each order, and sales revenue for each order.” As one of ordinary skill in the art will recognize, sales revenue, i.e. total sales price less seller cost, is not equivalent to buyer cost, i.e. total purchase price.

Additionally, contrary to the Examiner’s citation of column 14, lines 46-48, nowhere does Klatt et al. teach “displaying the sum of the total revenue for each product category” because Klatt et al. does not teach the calculation of total revenue. Therefore, Applicant believes the subject matter called for in claim 2 is patentably distinct from the art of record.

Regarding the rejection of claim 6, the Examiner has cited 908 (“Hold until”) of Figure 9 as teaching a user-defined message of “call for availability.” However, the cited

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section of the figure, "Hold until," is not the equivalent of "call for availability." One of ordinary skill in the art will recognize that requesting that a seller "hold" on item until a specified time is not the same as requiring that the inquiring party to place a "call" in order to determine the shipping availability of an item. The former is a request by the buyer of the seller and the latter is a request by the seller of the buyer. Therefore, Applicant believes claim 6 to be patentably distinct from the art of record.

Regarding claim 8, Applicant refers the Examiner to the remarks set forth above with respect to claim 1. However, Applicant has amended claim 8 to clarify that the calculated number is stored in a temporary table and that the temporary table is accessed to display "the number of days before the product is available." Furthermore, the amended claim calls for the temporary tables to be periodically updated. As previously shown, Klatt et al. is silent with regard to any method of calculating an "estimated shipping" date. Accordingly, no temporary table for storage and access of calculations derived from a database is described, nor is any method of updating taught. Therefore, Applicant believes claim 8 to be patentable distinct from the art of record. Furthermore, Applicant believes claims 9-15 to be allowable pursuant to the chain of dependency.

Regarding claim 10, Applicant has amended claim 10 to correct a typographical error. The preamble of the claim is now followed by a single colon rather than two colons.

Regarding the rejection of claim 16, Applicant refers the Examiner to the remarks set forth above with respect to claims 1 and 8. However, Applicant has amended claim 16 to clarify that the calculated data is stored in a temporary table, which is updated "to maintain a listing of the number of days before each product is available." Again, Klatt

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et al. discloses no such temporary table nor the maintaining of any "listing of the number of days before each product is available." Accordingly, Applicant believes claim 16 to be in condition for allowance. Therefore, Applicant believes claims 17-21 to be allowable pursuant to the chain of dependency.

However, Applicant wishes to point out that the Examiner did not provide a basis for the rejection of claims 18-20. While the Examiner did include the claim numbers in the discussion of claims 5 and 12, the limitations of claims 18-20 were unaddressed. Again, to sustain a proper rejection under 35 U.S.C § 102 each and every element of the claim, or its equivalent, must be present in the cited art. Applicant requests clarification of the Examiner's basis for the rejection of these claims but nevertheless believes the subject matter to be allowable as depending from otherwise allowable claims.

Applicant has added claim 22, which depends from claim 1, in order to clarify that the method of claim 1 may further be made available to "customers or potential customers."

Also, Applicant has added claim 23, which combines the subject matter of claims 1 and 2 prior to amendment and claims 24 and 25, which depend therefrom.

Applicant has also added claim 26, which, in part, calls for a method for displaying real-time status of product availability comprising a temporary table for storing calculated product shipment availability, for displaying the product shipment availability and that is updateable at regular time intervals. Claims 27-29 have been added as well and depend from claim 26.

Next, claim 30 has been added, which calls for "a system for displaying real-time product information." Claims 31-35 have also been added to depend from claim 30.

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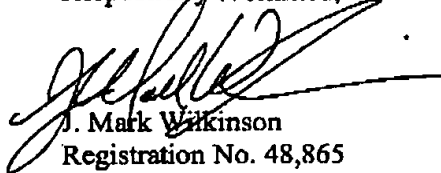
Therefore, in light of the foregoing, Applicant respectfully believes that the present application is in condition for allowance. As a result, Applicant respectfully requests timely issuance of a Notice of Allowance for claims 1-35.

Marked-up versions of the amendments made above may be found on pages 18-20.

Applicant hereby authorizes charging of deposit account no 07-0845 in the amount of \$522.00 for any additional fees associated with entering the aforementioned claims.

Applicant appreciates the Examiner's consideration of these Remarks and Amendments and cordially invites the Examiner to call the undersigned, should the Examiner consider any matters unresolved.

Respectfully submitted,



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REVISIONS

1. (Once Amended) A method for displaying real-time status of product availability comprising:

automatically querying a database, for a plurality of products that are scheduled for production, at regular time intervals for a date when each product will be ready for shipment ~~for a plurality of products~~, and if the date does not exist, skipping that product, otherwise;

for each product, counting a number of days between a current date and the date when the product will be ready for shipment to create a number of days before the product is available; and

displaying a listing of each product and when the product is available for shipment for product availability management.

8. (Once Amended) A computer-readable medium having stored thereon one or more computer programs that, when executed by one or more computers, causes the one or more computers to:

populate a database with data to include a date when each product will be available for shipment for a plurality of products;

periodically query the database to obtain the date for ~~the~~each products while ignoring those products that do not have a valid shipment date;

count a number of days for each product between a current date and the date when the product will be ready for shipment to create a number of days before ~~the~~each product is available;

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store the number of days before each product is available in temporary tables; and
access the temporary tables to display the number of days before each the-product is available; and
update the temporary tables periodically.

10. (Once Amended) The computer-readable medium of claim 8 where the computer program further causes the one or more computers to::

populate the database with data to include number of orders, a product category for each order, and sales revenue for each order;

add the number of orders for each product category together to create a sum of the number of orders for each product category;

add the sales revenue for the number of orders in each product category together to create a sum of the total revenue for each product category; and

display the sum of the number of orders for each product category and the sum of the total revenue for each product category.

16. (Once Amended) A computer data signal representing a sequence of instructions that, when executed by one or more processors, cause the one or more processors to:

maintain a database containing at least a date when each product will be ready for shipment,

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periodically obtain from the database the date when each product will be ready for shipment while ignoring an entry if such date does not exist;

count a number of days between today and the date each product will be ready for shipment to create a number of days before ~~the~~each product is available;

store the number of days before each product is available in temporary tables; and

display the corresponding date when the product will be available; and

update the temporary tables to maintain a listing of the number of days before each product is available.